



DEPARTMENT OF THE NAVY
HEADQUARTERS
NAVAL CRIMINAL INVESTIGATIVE SERVICE
27130 TELEGRAPH ROAD
QUANTICO VA 22134-2253

5720 2018-000012
SER00LJF/17U1889

michaeljgaynor@gmail.com

Mr. Michael Gaynor
3100 16th St., NW
Washington, DC 20010

Dear Mr. Gaynor:

This responds to your September 28, 2017 Freedom of Information Act (FOIA) request seeking documents related to the military justice actions, trials, and hearings of the following defendants in the Glenn Defense Marine Asia case: David A. Morales, Adrian Jansen, Michael H. Miller, Terry B. Kraft, and David R. Pimpo.

On March 2, 2015 Naval Criminal Investigative Service was charged with the processing of all FOIA requests received by the Department of the Navy (DON) relating to GDMA and accountability actions, enclosure (1) pertains.

In coordination with the Consolidated Disposition Authority, a search for responsive records was conducted. After consideration, all information pertaining to David A. Morales is withheld in total pursuant to the FOIA provisions 5 U.S.C. § 552A (b)(7)(A) and (b)(7)(B). These records or information are exempt from disclosure because it could deprive a person of a fair trial or impartial adjudication, and could reasonably be expected to interfere with enforcement proceedings.

In regards to Adrian Jansen, Michael H. Miller, Terry B. Kraft, and David R. Pimpo, our review of these documents reveals that they contain personal identifiers (such as names and social security numbers) of third parties, the release of which would constitute an unwarranted invasion of personal privacy. Accordingly, we must partially deny your request and withhold this information pursuant to the FOIA provisions 5 U.S.C. § 552 (b)(6) and (b)(7)(C). We have also cited exemptions (b)(7)(A) and (b)(7)(E). All releasable information is provided to you at enclosure (2). We have also provided an enclosure explaining the various exemptions of the FOIA.

If you wish, you may appeal this delay by writing to the Office of the Judge Advocate General (Code 14), 1322 Patterson Avenue, S.E., Suite 3000, Washington Navy Yard, D.C. 20374-5066. Your letter should state the reasons for your appeal and, along with a copy of this letter and a copy of your original request, must be postmarked (vice received) in the above office within the 90-day appeal limit. The letter of appeal and the envelope must both bear the notation: "Freedom of Information Act Appeal."

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Your appeal rights will not be prejudiced by waiting until a substantive determination has been made regarding your request.

If you have any questions regarding this matter, please contact our office at (571) 305-9092 or via email at ncis_foia@ncis.navy.mil.

Sincerely,

\\s\\

KAREN RICHMAN
CDR, JAGC, USN